

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
Plaintiff	)	CASE NO.1:09CR255
	)	
-vs-	)	
	)	
FRANK SVOBODA,	)	ORDER ON GOVERNMENT'S MOTION
	)	TO USE EVIDENCE PURSUANT TO
	)	FEDERAL RULE OF EVIDENCE 404(b)
	)	OR IN THE ALTERNATIVE,
Defendants	)	AS BACKGROUND EVIDENCE
	)	

The Court grants in part the Government's Motion to Use Evidence Pursuant to Federal Rule of Evidence 404(b) or, in the Alternative, as Background Evidence (ECF Doc. No. 14).

The Government may elicit testimony from Officer Petrovich regarding the circumstances of the stop, discussions with the Defendant and the Officer's investigation, except, however; neither the Officer nor anyone else shall testify or present evidence on the failure of Defendant or "The Foundation" to pay taxes or any UCC filings by Defendant or "The Foundation."

The Officer may testify that Defendant had no valid driver's license since 1999 and that the Foundation was dissolved in 1995.

IT IS SO ORDERED.

  
Christopher A. Boyko  
U.S. District Court Judge

August 5, 2009